

LEWIS
ANDROCA
LLP

L A W Y E R S

E-Filed on 1/7/08

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004-4429
Facsimile (602) 734-3824
Telephone (602) 262-5756

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL
OF OBJECTION FOR LACK OF
DOCUMENTATION TO PROOF OF
CLAIM FILED BY TIMOTHY F.
BURRUS AND JOANN ORTIZ-
BURRUS**

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

The USACM Liquidating Trust (the "USACM Trust") and Timothy F. Burrus and JoAnn Ortiz-Burrus ("Claimants"), by and through undersigned counsel, stipulate:

1. Claimants filed a Proof of Claim ("Claim") No. 10725-00027 on June 14, 2006, in the amount of \$50,000.00.

2. On November 19, 2007, the USACM Trust filed it's First Omnibus

LEWIS
AND
ROCA
LLP
LAWYERS

1 Objection to Claims for Lack of Documentation ("Objection") [DE 5357], which objected
2 to claims, including Claim No. 10725-00027, on the basis that the claimants had not
3 supplied sufficient supporting documentation for their claims with their proofs of claim.

4 3. On December 11, 2007, Claimants filed a response to the Objection and
5 provided documentation supporting Claim No. 10725-00027.

6 4. The parties agree that the USACM Trust will withdraw its objection to
7 Claim No. 10725-00027.

8 DATED: December 19, 2007

9
10 **LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

Counsel for USACM Liquidating Trust

13 -and-

14 DATED: Dec 19, 2007.

16 **HARDY LAW GROUP**

17 Del Hardy, Esq.

18 Hardy Law Group

19 96 & 98 Winter Street

20 Reno, NV 89503